



IN THE SUPREME COURT OF BELIZE, A.D. 2002

Action No. 61

IN THE MATTER of an application for leave to apply for
Judicial Review

IN THE MATTER of a decision by the National Environmental
Appraisal Committee made on Friday, November 9, 2001 to
Approve an Environmental Impact Assessment by Belize
Electric Company Limited

AND

IN THE MATTER of a Decision of the Department of the
Environment or of the National Environmental Appraisal
Committee made on Friday, November 9th 2001 to grant
Environmental clearance to the Macal River Upstream
Storage Facility Project

AND

IN THE MATTER of the Environmental Protection Act Chapter 328
of the Laws of Belize, Revised Edition, 2000, and the
Regulations made thereunder

THE QUEEN

And

DEPARTMENT OF ENVIRONMENT

BELIZE ELECTRIC COMPANY

LIMITED

RESPONDENTS

and

Ex parte BELIZE ALLIANCE OF
CONSERVATION NON GOVERNMENTAL
ORGANIZATIONS (BACONGO)

APPLICANT

AFFIDAVIT

I GEORGE THOMPSON of #16 Bahamas Street, Belmopan City, Cayo
District, Belize Archeologist HEREBY MAKE OATH AND SAY as follows:

1. I was awarded a Bachelor of Arts degree in Anthropology from
Indiana University in United States of America in 1994.
2. I am acting Archeological Commissioner in the Department of
Archeology in the Ministry of Tourism and Culture. I have held that
position since August 2000. Prior to that I was an Archeologist with
this same Department for 6 years.

3. As Acting Archeological Commissioner I am a member of the National Environmental Appraisal Committee (NEAC) established under the Environmental Impact Assessment Regulations.
4. I attended all the sessions of the NEAC in which the Environment Impact Assessment (EIA) for the Macal River Upstream Facility was (MRUSF) considered and ultimately approved.

What data?

5. Within my department there were several discussions relating to the Archeological data presented in the EIA and the significance of that information for the protection of cultural heritage sites. Of course, our department had concerns. The EIA stated that there were some archeological remains in the area. We reviewed the information presented closely and reviewed available information on past studies in the Maya Mountain region. We found that the archeological remains in the area were not of the magnitude of our major archeological sites. We observed that what existed there were mostly small mounds consistent with ancient Maya settlement patterns. These small mounds can be found all over Belize given that the Archaeological records indicate that present day Belize was heavily populated by the ancient Maya.

No excavation?

contradicts
25!

What money?

6. I considered the archeological information in the EIA a random sampling of mounds existing in the area. It was the view of the Archeology Department that we would need to know the extent of the settlements in the area to determine population size and we would need an archeological sampling of the mounds to determine levels of activity and period of occupation. We felt however, that the compilation of this information could be addressed in the Environmental Compliance Plan (ECP). With this in mind we agree that money should be set aside in the ECP for a more systematic survey and sampling through Archeological excavation and documentation of the existing archeological remains.

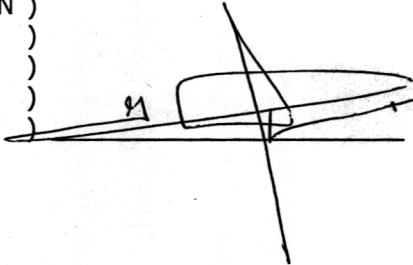
7. I feel that the concerns of my department were fully aired and were satisfactorily addressed.
8. I was aware of public opinion generally and had received many comments on the MRUSF from the archeological community. I did take public comments and concerns known to me into account when reviewing the EIA.
9. I recall that there were several requests for further information. This was not uncommon for the NEAC. I found that the Department of Environment and/or the developer generally provide information requested.
10. At the time at which a decision was taken to approve the EIA I felt that the NEAC had sufficient information to make a decision. To my mind the EIA was complete and satisfactory.

11. At paragraph 30 of her Affidavit dated 8th February 2002, Candy Gonzales deposes that I responded to a question by the Chief Environmental Officer as to the loss of cultural heritage sites by saying "Drown it" or "Flood it". I have never made such statement and I have no idea why Candy Gonzales has decided to depose to such a statement. I consider myself a professional and would never make such a statement in response to a request for my Department's position on any issues relating to the Cultural Heritage of Belize.

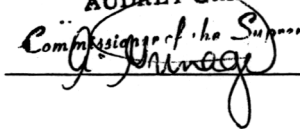
SWORN by GEORGE THOMPSON)

At Belize City)

On the 17th day of April 2002)

A handwritten signature in black ink, appearing to be 'G. Thompson', written over a horizontal line. The signature is somewhat stylized and includes a vertical line that extends downwards from the end of the signature.

Before me,

AUDREY GRINAGE
Commissioner of the Supreme Court


This Affidavit is filed on behalf of the Department of the Environment.